



08/25/08

Attorney's Docket No.: 0119365-00005/922

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rene Gantier *et al.* Art Unit : 1647  
Serial No. : 10/658,834 Examiner : Elly Gerald Stoica  
Filed : September 8, 2003 Conf. No. : 7681  
Cust. No. : 77202  
Title : RATIONAL EVOLUTION OF CYTOKINES FOR HIGHER STABILITY, THE CYTOKINES AND ENCODING NUCLEIC ACID MOLECULES

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Dear Sir:

Transmitted herewith are a Response to the Notice of Non-Compliant Amendment, mailed August 11, 2008 (15 pages), and further to the Amendment, mailed June 26, 2008, a CD Transmittal Letter (1 page in duplicate), a computer-readable form of the Sequence Listing provided on Compact Disc, (labeled as COPY #1 REPLACEMENT 08/20/2008 and COPY #2 REPLACEMENT 08/20/2008) and on the computer-readable form (labeled as COMPUTER READABLE FORM REPLACEMENT 08/20/2008), an Annotated Copy of the Sequence ID NO.: 232 (1 page), a Verified Statement under 37 CFR §1.821(f) (1 page), and a return postcard in connection with the above-captioned patent application. If a Petition for extension of time is needed, this paper is to be considered such petition.

The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 02-1818. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie Seidman  
Reg. No. 33,779

AttorneyDocket No.: 0119365-00005/922  
Address all correspondence to: 77202  
Stephanie Seidman  
BELL, BOYD & LLOYD LLP  
3580 Carmel Mountain Road, Suite 200  
San Diego, CA, 92130  
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Facsimile: (858) 509-7460  
Email: sseidman@bellboyd.com

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**  
"Express Mail" Mailing Label Number **EM 247736629 US**  
Date of Deposit: **August 22, 2008**

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Steven Dennis



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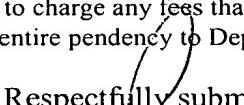
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**COMPACT DISC TRANSMITTAL LETTER**

Dear Sir:

Transmitted herewith are duplicate compact discs (CD-R) of the Sequence Listing labeled as COPY #1 REPLACEMENT 08/20/2008 and COPY #2 REPLACEMENT 08/20/2008) and on the computer-readable form (labeled as COMPUTER READABLE FORM REPLACEMENT 08/20/2008), also enclosed is a Verified Statement under 37 CFR §1.821(f). The computer-readable file on each of the aforementioned compact discs created on August 20, 2008 was made using an IBM-PC machine format with MS-Windows operating system compatibility. The computer-readable file on the 3 compact discs is identical, 1,843 kilobytes in size, and entitled 922SEQ.006.txt.

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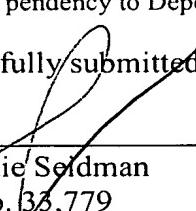
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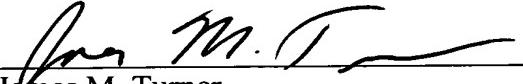
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**VERIFIED STATEMENT CONCERNING SEQUENCE LISTING**

  
 I, James M. Turner, declare that I personally prepared the computer-readable form of the Sequence Listing set forth in the above-entitled patent application and that the content of the Sequence Listing on duplicate compact discs (labeled as COPY #1 REPLACEMENT 08/20/2008 and COPY #2 REPLACEMENT 08/20/2008) and on the computer-readable form (labeled as COMPUTER READABLE FORM REPLACEMENT 08/20/2008) is the same. The computer-readable file on each of the aforementioned compact discs is 1,843 kilobytes in size and titled 922SEQ.006.txt.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated in San Diego, California this 20th day of August 2008.

  
 James M. Turner  
 Technology Specialist to  
 Stephanie Seidman  
 Registration No. 33,779  
 Attorney for Applicant